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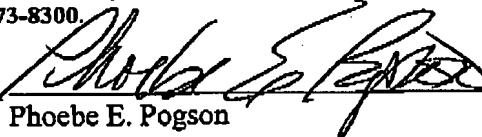
OCT 26 2007

**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 1700**

PATENT

I hereby certify that on the date specified below, this correspondence is being transmitted via facsimile to the Commissioner for Patents, facsimile number (571) 273-8300.

October 26, 2007


Phoebe E. Pogson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Appl. No. : 10/760,139 | Confirmation No. : 7218 |
| Applicants : Eric B. Cummings, Yolanda Fintschenko, Blake Simmons | |
| Filed : January 16, 2004 | Attorney Docket No.: 33532/US |
| Art. Unit : 1753 | Customer No. : 27,076 |
| Examiner : Surekha Vathyam | |
| Title : DIELECTROPHORESIS DEVICE AND METHOD HAVING NON-UNIFORM ARRAYS FOR MANIPULATING PARTICLES | |

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. § 1.116

Sir:

Applicants acknowledge receipt of the Office Action dated July 3, 2007. A one-month extension of time was granted with the Response Under 37 CFR § 1.116 filed October 22, 2007. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.